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AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings of claims in the application.

Listing of Claims:

1-3 (cancelled).

4 (currently amended). A method of setting capacity flags to enable the distribution of traffic among channels in a packet data system having at least two channels, the method for each channel comprising:

establishing a toggle flag for each channel that changes state according to a timer so that at any particular time, toggle flags are in the asserted state for all of a first group of the at least two channels, while toggle flags are in the unasserted state for all of at least a second group of the least two channels;

asserting a maximum load flag if an actual traffic load is greater than or equal to a maximum load; and

setting a capacity flag by ORing the toggle flag and the maximum load flag, so that traffic is distributed among channels for which the actual traffic load is less than the maximum load.

5 (original). The method of claim 5 wherein the toggle flag changes state upon every period of the timer.

6-9 (cancelled).

10 (currently amended). Apparatus for setting capacity flags in a packet data system for enabling the distribution traffic among at least two channels, the apparatus comprising:

a toggle flag generator for generating a toggle flag for each channel that change state according to a timer so that at any particular time, toggle flags are in the

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asserted state for all of a first group of the at least two channels, while toggle flags are in the unasserted state for all of at least a second group of the least two channels;

a maximum load flag generator that asserts a maximum load flag if an actual traffic load is greater than or equal to a maximum load; and

an OR function for each channel including two inputs and a capacity flag output, wherein one of the two inputs of the OR function is connected to the toggle flag generator and another of the two inputs of the OR function is connected to the maximum load flag generator, so that the output is the logical OR of ~~[[a]]~~ the toggle flag and the ~~max~~ maximum load flag.

11 (original). The apparatus of claim 10 wherein the toggle flag changes state upon every period of the timer.

12-15 (cancelled).

16 (currently amended). A mobile data base station comprising:

at least one modem transceiver; and

a programmable control block connected to the modem transceiver, the control block being enabled by a computer program to distribute traffic among channels by:

establishing a toggle flag for each channel that changes state according to a timer so that ~~[[an]]~~ at any particular time, toggle flags are in the asserted state for all of a first group of the at least two channels, while toggle flags are in the unasserted state for all of at least a second group of the least two channels;

asserting a maximum load flag if an actual traffic load is greater than or equal to a maximum load; and

setting a capacity flag by ORing the toggle flag and the maximum load flag, so that traffic is distributed among channels for which the actual traffic load is less than the maximum load.

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17 (original). The mobile data base station of claim 16 wherein the toggle flag changes state upon every period of the timer.

18 (currently amended). Apparatus for distributing traffic among channels in a packet data system including at least two channels, the apparatus comprising:

at least one modem transceiver;

a toggle flag generator for generating a toggle flag for each channel that change state according to a timer so that ~~[[an]]~~ at any particular time, toggle flags are in the asserted state for all of a first group of the at least two channels, while toggle flags are in the unasserted state for all of at least a second group of the least two channels;

a maximum load flag generator that asserts a maximum load flag if an actual traffic load is greater than or equal to a maximum load; and

an OR function for each channel including two inputs and a capacity flag output operatively coupled to the modem transceiver, wherein one of the two inputs of the OR function is connected to the toggle flag generator and another of the two inputs of the OR function is connected to the maximum load flag generator, so that the capacity flag output is the logical OR of ~~[[a]]~~ the toggle flag and the ~~max~~ maximum load flag.

19 (original). The apparatus of claim 18 wherein the toggle flag changes state upon every period of the timer.

20-23 (cancelled).